



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)
ACTION AGAINST)

Grays Harbor County Democratic)
Central Committee,)

Respondent.)

PDC CASE NO: 04-421

Notice of Administrative
Charges

IT IS ALLEGED as follows:

I.

JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05 RCW, Administrative Procedure Act, and Title 390 WAC.

II.

LAW

RCW 42.17.020(5) states: "Bona fide political party" means: (a) An organization that has filed a valid certificate of nomination with the secretary of state under chapter 29.24 RCW; (b) The governing body of the state organization of a major political party, as defined in RCW 29.01.090, that is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or (c) The county central committee or legislative district committee of a major political party. There may be only one legislative district committee for each party in each legislative district.

*"The public's right to know of the financing of political campaigns and lobbying
and the financial affairs of elected officials and candidates far outweighs
any right that these matters remain secret and private."*

RCW 42.17.010 (10)



RCW 42.17.020(33) states “Political committee means any person (except a candidate or an individual dealing with his or her own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.”

RCW 42.17.080(2) states, in part: “At the following intervals each treasurer shall file with the commission and the county auditor or elections officer of the county in which the candidate resides, or in the case of a political committee, the county in which the committee maintains its office or headquarters...a report containing the information required by RCW 42.17.090: (a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held; and (b) On the tenth day of the first month after the election...and (c) On the tenth day of each month in which no other reports are required to be filed under this section: PROVIDED, That such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars.”

RCW 42.17.080(3) states: “For the period beginning the first day of the fourth month preceding the date on which the special or general election is held and ending on the date of that election, each Friday 1 the treasurer shall file with the commission and the appropriate county elections officer a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds so deposited and the amount contributed by each person. However, contributions of no more than twenty-five dollars in the aggregate from any one person may be deposited without identifying the contributor. A copy of the report shall be retained by the treasurer for his or her records. In the event of deposits made by a deputy treasurer, the copy shall be forwarded to the treasurer for his or her records. Each report shall be certified as correct by the treasurer or deputy treasurer making the deposit.”

1 A 2002 legislative amendment to RCW 42.17.030(3) changed the weekly C-3 filing deadline from Friday to Monday as of July 1, 2002.

RCW 42.17.090(1) states, in part: "Each report required under RCW 42.17.080(1) and (2) shall disclose the following: (a) The funds on hand at the beginning of the period; (b) The name and address of each person who has made one or more contributions during the period, together with the money value and date of such contributions and the aggregate value of all contributions received from each such person during the campaign or in the case of a continuing political committee, the current calendar year... (d) All other contributions not otherwise listed or exempted ... and (f) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report, and the amount, date, and purpose of each such expenditure..."

III. FACTS

1. These charges incorporate the Report of Investigation and all of its exhibits by reference. The Respondent, Grays Harbor County Democratic Central Committee (GHCDCC) is a "bona-fide political party organization" as defined in RCW 42.17.020(5), and a "political committee" as defined in RCW 42.17.020 (33). The GHCDCC is the bona-fide political party organization operating in Grays Harbor County as designated by the Washington State Democratic Central Committee.
2. Public Disclosure Commission (PDC) staff received two telephone calls in November 2003 from individuals inquiring about the lack of reports filed by the GHCDCC. Based on the calls, staff reviewed the filings of the GHCDCC, and determined that reports had not been filed since December 15, 1997, for activities covering the period of November 1 through November 30, 1997.
3. Betty Strabbing has been the treasurer of the GHCDCC since at least 1996 and is currently the committee's treasurer.
4. At the request of PDC staff, Ms. Strabbing filed the missing C-3 and C-4 reports for the past five years, covering the period January 1, 1999 through September 30, 2003. These

reports were filed on December 1, 2003. On December 10, 2003, Mrs. Strabbing filed a C-4 report and C-3 reports for the period October 1 through November 30, 2003.

5. Ms. Strabbing provided no written or oral explanation for why the reports were not timely filed, but acknowledged that the reports for 1999 through October 2003 were not timely filed, and acknowledged that filing the reports was her responsibility.
6. On January 16, 2004, PDC Executive Director Vicki Rippie filed a complaint alleging that the GHCDCC had violated RCW 42.17.080 and 42.17.090 by failing to timely file reports of contributions and expenditures during calendar years 1999, 2000, 2001, 2002, and the first nine months of 2003.
7. During the period January 1, 1999 through September 30, 2003, GHCDCC received contributions totaling \$60,881 and made expenditures totaling \$52,327. The expenditures included \$11,800 in contributions made to candidates and political committees. Reports for these activities were filed from 43 days to over four years late.

Calendar Year 1999

8. For calendar year 1999, the GHCDCC reported contributions and other receipts totaling \$12,516, that included \$5,162 in proceeds from their annual dinner/auction event, and \$5,841 in proceeds from the sale of food and beverage items at local fair booths. Expenditures incurred during 1999 totaled \$6,792, and were mostly for expenses related to their annual dinner/auction event and the cost of goods sold at local fair booths. The GHCDCC did not make political contributions in 1999. The C-3 and C-4 reports disclosing contribution and expenditure information for 1999 were filed on December 1, 2003, more than four years late. During calendar year 1999, the GHCDCC failed to timely file six C-4 reports and 13 C-3 reports.

Calendar Year 2000

9. For calendar year 2000, the GHCDCC reported contributions and other receipts totaling \$16,445, that included \$7,083 in contributions raised from their annual dinner/auction event, and \$6,231 in proceeds from the sale of food and beverage items at local fair booths. Expenditures incurred during 2000 totaled \$13,068 and included political contributions totaling \$3,300. Because the GHCDCC participated in the 2000 election, C-4 reports were due 21 and 7 days before the 2000 primary and general elections, and a post-election C-4 report was also required to be filed by December 11, 2000. The C-3 and C-4 reports disclosing contribution and expenditure information for 2000 were filed on December 1, 2003, more than three years late. During calendar year 2000, the GHCDCC failed to timely file ten C-4 reports and 16 C-3 reports.

Calendar Year 2001

10. For calendar year 2001, the GHCDCC reported contributions and other receipts totaling \$13,089, that included \$7,227 in proceeds from their annual dinner/auction event, and \$4,537 in proceeds from the sale of food and beverage items at local fair booths. The Expenditures incurred during 2001 totaled \$9,074 and included one political contribution to a local ballot measure committee for \$1,000. The C-3 and C-4 reports disclosing contribution and expenditure information for 2001 were filed on December 1, 2003, more than two years late. During calendar year 2001, the GHCDCC failed to timely file nine C-4 reports 14 C-3 reports.

Calendar Year 2002

11. For calendar year 2002, the GHCDCC reported contributions and other receipts totaling \$12,063, that included \$5,969 in proceeds from their annual dinner/auction event, and \$4,762 in proceeds from the sale of food and beverage items at local fair booths. The expenditures incurred during 2002 totaled \$13,954 and included political contributions

totaling \$5,000. Because the GHCDCC participated in the 2002 election, C-4 reports were due 21 and 7 days before the 2002 primary and general elections, and a post-election C-4 report was also required to be filed by December 10, 2002. The C-3 and C-4 reports disclosing contribution and expenditure information for 2002 were filed on December 1, 2003, more than one year late. During calendar year 2002, the GHCDCC failed to timely file eight C-4 reports and 14 C-3 reports.

Calendar Year 2003 (January 1 – October 27, 2003)

12. During calendar year 2003, from January 1 through October 27, 2003, the GHCDCC reported contributions and other receipts totaling \$6,767 and expenditures totaling \$9,439. The expenditures included political contributions totaling \$2,500, made up of two \$1,000 contributions in July 2003 for the Special Legislative Elections in the 19th Legislative District. Because the GHCDCC participated in the 2003 election, C-4 reports were due 21 and 7 days before the 2003 primary and general elections. The C-3 and C-4 reports disclosing contribution and expenditure information through September 2003 were filed on December 1, 2003, more than one year late. A report covering October and November 2003 was filed December 10, 2003, and showed no activity during October. During calendar year 2003, the GHCDCC failed to timely file eight C-4 reports and 11 C-3 reports.
13. Following is a chart showing the contributions and other receipts of the GHCDCC, along with its expenditures, including political contributions, for calendar years 1999, 2000, 2001, 2002 and January 1 through October 27, 2003.

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<u>Reporting Period(s)</u>	<u>Contributions & Other Receipts</u>	<u>Expenditures</u>	<u>Type of Reports Due</u>	<u>Lateness</u>	<u>Contributions to Candidates & Committees</u>
1999	\$12,516	\$ 6,792	C-3 & C-4	Over 4 Years	\$0
2000	\$16,445	\$13,068	C-3 & C-4	Over 3 Years	\$ 3,300
2001	\$13,089	\$ 9,074	C-3 & C-4	Over 2 Years	\$ 1,000
2002	\$12,063	\$13,954	C-3 & C-4	Over 1 Year	\$ 5,000
1/1-10/27/03	<u>\$ 6,767</u>	<u>\$ 9,439</u>	C-3 & C-4	43-294 Days	<u>\$ 2,500</u>
Totals	\$60,881	\$52,327			\$11,800

IV.
CONCLUSION

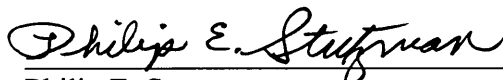
The GHCDCC was a bona-fide political party organization and a political committee registered with the PDC during 1999, 2000, 2001, 2002 and 2003. The GHCDCC failed to timely file detailed Monetary Contribution Reports (PDC form C-3) as required by RCW 42.17.080 and 42.17.090 during the period January 1, 1999 through September 30, 2003 for contributions and other receipts totaling \$60,881. The C-3 reports were due in the month following receipt when contributions received or expenditures made exceeded \$200, and weekly during the four months preceding the 2000, 2001, 2002 and 2003 elections.

The GHCDCC failed to timely file Summary Contribution and Expenditure Reports (PDC form C-4) as required by RCW 42.17.080 and 42.17.090 during the period January 1, 1999 through October 27, 2003, for contributions received totaling \$60,881 and expenditures made totaling \$52,327. Of the expenditures, \$11,800 was for contributions to candidates and other political committees, all reportable under RCW 42.17.080 and 42.17.090 on PDC form C-4. The C-4 reports were due monthly except for special C-4 reports that were due 21 and 7 days before the 2000, 2001, 2002 and 2003 elections.

Staff alleges, based on the facts specified in Section III, that the GHCDCC violated RCW 42.17.080 and 42.17.090 on multiple occasions:

- by failing to timely file Monetary Contribution reports (PDC form C-3) for contributions received between January 1, 1999 and September 30, 2003 totaling \$60,881; and
- by failing to timely file Summary Contribution and Expenditure Reports (PDC form C-4) disclosing contributions received and expenditures made between January 1, 1999 and October 27, 2003, with expenditures totaling \$52,327, including contributions totaling \$11,800 made to candidates for public office and to political committees.

RESPECTFULLY SUBMITTED this 12th day of March, 2004.


Philip E. Stutzman
Director of Compliance